

**AMENDMENTS**

Please amend the claims as indicated hereafter (where underlining “\_” denotes additions and strikethrough “-” denotes deletions).

**In the Claims**

1. (Canceled)
2. (Currently Amended) An interdiscal tensiometer, comprising:
  - a pair of primary members being hingedly fixed together, each member of said pair of primary members having a contact tine;
  - a tension measuring device for measuring load of said contact tines;
  - a distance measuring device for measuring distance between said contact tines;
  - wherein said contact tines are adapted to engage a pair of intervertebral bodies such that said load tension measuring means device can measure a load therein and said distance measuring means device can measure a distance therebetween.
3. (Previously Presented) A method of using an interdiscal tensiometer, comprising the steps of:
  - providing a pair of primary members being hingedly fixed together, each member of said pair of primary members having a contact tine;
  - inserting each of said contact tines between at least two vertebral bodies;
  - measuring a load between said at least two vertebral bodies; and

measuring a distance between said at least two vertebral bodies.

4. (Currently Amended) The interdiscal tensiometer of claim [1]] 2, wherein the primary members are formed of stainless steel.
5. (Currently Amended) The interdiscal tensiometer of claim [1]] 2, wherein the members of the pair of primary members are hingedly fixed together with a spring loaded hinge.
6. (Currently Amended) The interdiscal tensiometer of claim [1]] 2, wherein the load tension measuring device includes a strain gage.
7. – 9. (Canceled)
10. (Previously Presented) The method of using an interdiscal tensiometer of claim 3, further comprising inserting a fusion device between the vertebral bodies.
11. (Previously Presented) The method of using an interdiscal tensiometer of claim 10, wherein the fusion device includes a preload corresponding to the load measured between the vertebral bodies.

12. (Previously Presented) The method of using an interdiscal tensiometer of claim 10, wherein the fusion device has a thickness corresponding to the distance measured between the vertebral bodies.

13. (Previously Presented) The method of using an interdiscal tensiometer of claim 10, wherein the fusion device includes a bone graft.

14. (Currently Amended) The method of using an interdiscal tensiometer of claim 10, wherein the fusion device ~~includes~~ includes a fusion cage packed with grafting material.

15. (Previously Presented) The method of using an interdiscal tensiometer of claim 10, wherein the fusion device includes an autograft bone.

16. (New) The interdiscal tensiometer of claim 2, wherein the primary members are hingedly fixed together in a cross-over arrangement such that the primary members cross over each other at a location at which the primary members are hingedly fixed.

17. (New) The method of using an interdiscal tensiometer of claim 3, wherein the primary members are hingedly fixed together in a cross-over arrangement such that the primary members cross over each other at a location at which the primary members are hingedly fixed.